

**Testimony of the Center for Women and Families of Eastern Fairfield County
In Support of HB 5548, Law Enforcement Response to Family Violence**

Ruth Dushay, Civil Court Advocate
Judiciary Committee , March 23, 2012

My name is Ruth Dushay and I am a civil court advocate for the Center for Women and Families, a Bridgeport based domestic violence and sexual assault crisis agency that services the towns of Stratford, Fairfield, Trumbull, Fairfield, Easton, and Bridgeport. The family violence court advocates saw about 3000 clients in 2011. CWF as whole saw a total of 4600 survivors. Advocates provide safety planning, counseling, referrals and advocacy for victims of domestic violence. We are in support of the 5548 Bill. The provisions contained within will provide additional protection for victims and survivors.

Connecticut needs a model policy for all law enforcement agencies statewide to adhere to and to be able to rely on for best practices when responding to family violence incidents. Implementing a standard model policy will help keep victims safe and hold offenders accountable.

Dual arrests occur when both parties in an incident are arrested. As advocates we have the benefit of reading the police report and then speaking to the parties on the day of arraignment. There have been times when it is obvious that the true victim in the case was inappropriately arrested. It appears that officers are not being adequately trained on subjects such as defensive wounds, predominant aggressor, and dynamics of domestic violence. Several things can happen when victims of domestic violence are arrested when they were actually defending themselves: the abuser can use it as a tactic to gain more power within the relationship, the victim maybe afraid to call the police again, and a protective order may be issued against the victim. Best practice includes adequate law enforcement training to ensure that inappropriate dual arrests do not occur.

The current DPS 230 form that is submitted with each domestic violence incident by the police does not allow for clear cut data to be gathered on dual arrests making it difficult to determine what the actual number of dual arrests is. This form should be revised so that officers can document why they made a dual arrest. There is currently no field allowing an officer to record what offense each individual was arrested for. Since the form has not been modified since 2007 it is time that it is reviewed for dual arrest purposes as well as to make it up to date with current statutes. It would also be beneficial to add a checklist for officers so they can document that they have completed everything they are required to when responding to a family violence incident.

Police officer training should be reviewed so that trainings can be standardized across the state. Increasing the amount of hours an officer has to complete will provide more of an in depth understanding of domestic violence for officers. In addition, developing a train the trainer curriculum for law enforcement will help ensure that standard information is being taught throughout the state. Police officers are typically the first contact a victim of domestic violence has with the criminal justice system. A good quality police response will make it easier for a victim to seek safety and support as it will be apparent that the community understands and is behind them.

Bill 5548 will make it easier for victims to report violations of protective order that are communicated electronically. When victims receive emails or text messages it would be more feasible for them to report the violation of protective order in the town where the communication was received, where it was sent, or where the victim lives. A violation of protective order is a serious offense. It demonstrates that a defendant has no regard for a court order and often times an electronic communication violation can intimidate, harass, or threaten a victim of domestic violence. It is imperative that a victim be able to report a violation without difficulty.

Implementing a model policy for law enforcement will help protect officers as well as victims. There are many intricacies in domestic violence cases and having protocols in place will ensure that best practices are employed throughout the state. It is our hope at the Center for Women and Families that you will support Bill 5548.